UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,226	01/04/2000	GEORGE HSU	P413	8873

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EXAMINER
DINH, DUNG C

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/477,226	Applicant(s) HSU, GEORGE
	Examiner Dung Dinh	Art Unit 2153

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 October 2003_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 10/7/03 have been fully

considered but they are deemed moot in view of new ground of

rejection below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not
> identically disclosed or described as set forth in section 102 of this
> title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the
> invention was made.

Claims 1-11, and 13-23 rejected under 35 U.S.C. 103(a) as

being unpatentable over Horbal et al. (US 6,112,246) in view of

Brown et al. (US 6,480,896) and Sandelman et al. (US 6,160,477).

As set forth in claim 1, Horbal discloses a control unit

for monitoring conditions at and controlling functions of an

appliance in response to a step sequence received from a remote

server, comprising: a microcontroller for managing functions of

the control unit (see fig. 2, the microserver); an input-output

(I/0) section coupled to the microcontroller for interfacing

voltage levels between elements of the appliance and the

microcontroller; see col. 8, lines 26-39, and element 406; a

system memory for storing the step sequence; a wiring interface

for connecting input and output points from the control unit to

the system or appliances, see col. 3 lines 34-37; see col. 5,

lines 50-59; with connections made between the wiring interface

and the controlled appliance. Horbal discloses a system wherein

the microservers can be placed on appliances, and other devices

and the sensors then send information for control over the

Internet to the browsers for control and interaction; also

Horbal can download information from various device servers for

usage by the clients; see col. 17, lines 25-41, and access by

the microservers to the respective information related to the

device and found on the device's server; see col. 15, line 2-

col. 17, line 14, as well as having a central administrator to

control multiple devices; see col. 17, lines 10-25, also see

figs. 1 and 2.

Horbal does not specifically disclose the microcontroller

stored step sequence received from the remote server and

generates outputs to operate functions of the appliance

according to the stored step sequence. In similar field of

invention, Brown teaches motion data (step sequence) is recieve

from a host machine over a network and stored in a controller

such that the controller can generate signals for directly

operate a target device [see col.1 lines 20-42, col.4 lines 23-

29, col.11 lines 39-52, col.13 lines 49-62]. Hence, it would

have been obvious for one of ordinary skill in the art to

combine the teaching of Brown with Horbal to download and store

step sequence (motion data) in the controller because it would

have enable thy system to efficiently upgrade/change the

operation of the target device. It is apparent the microserver

of Horbal's system as modified would operate to generate output

signals to control the appliance connected to it according to

the stored motion data.

As set forth in claims 1 and 4, Horbal does not discloses a

system wherein there is an RF section communicating with the

microcontroller and memory for receiving programs and data. As

set forth in claims 1 and 4. Sandelman discloses a system

wherein sensors are placed on devices and can be monitored via

RF devices through the Internet; see Col. 6, lines 47-57, col.

7, lines 93 1, and col. 7, lines 45-59, see fig. 610. It would

have been obvious to a person of ordinary skill in the art at

the time this invention was made to have provided the

microserver system of Horbal, with an RF section, as taught by

Sandelman. The, rationale is as follows: It would have been

desirable to have provided means for remotely sending

information to a control center. As Sandelman teaches the

desirability of using an RF section, one of ordinary skill would

have been motivated by Sandelman's teaching to have provided the

system of Horbal, with an RF section, thereby having provided

alternative means for communicating the data for remote

observation and control.

As set forth in claim 2, Horbal discloses a control unit

wherein the microcontroller produces control outputs partly in

response to input from sensors on the controlled system or

appliance; see figs. 3, the temperature sensor.

As set forth in claim 3, Horbal discloses a control unit

further comprising additional sensors in the control unit,

wherein the microcontroller produces control outputs partly in

response to input from the additional sensors; see col. 8, lines

32-39.

As set forth in claim 5, Horbal discloses a method for

controlling an appliance, comprising steps of. (a) connecting a

control unit to elements of the appliance by a wiring interface,

the control unit comprising a microcontroller for managing

functions of the control unit, an inputoutput (I/0) section

coupled to the microcontroller for interfacing voltage levels

between elements of the appliance and the microcontroller, a

system memory for storing a step sequence, a wiring interface

for connecting the elements of the appliance to the control

unit; and (c) operating the appliance according to the step

sequence received; see col.8, lines 26-39, and element 406, see

col. 5, lines 50-59 see col. 3, lines 31-45. Horbal discloses a

system wherein the microservers can be placed on appliances, and

other devices and the sensors then send information for control

over the Internet to the browsers for control and interaction,

also Horbal can download information from various device servers

for usage by the clients; see col. 17, lines 25-41, and access

by the microservers to the respective information related to the

device and found on the device's server; see col. 15, line 2-

col. 17, line 14, as well as having a central administrator to

control multiple devices; see col. 17, lines 10-25, also see

figs. 1 and 2.

Horbal does not specifically disclose the microcontroller

stored step sequence received from the remote server and

generates outputs to operate functions of the appliance

according to the stored step sequence. In similar field of

invention, Brown teaches motion data (step sequence) is recieve

from a host machine over a network and stored in a controller

such that the controller can generate signals for directly

operate a target device [see col.1 lines 20-42, col.4 lines 23-

29, col.11 lines 39-52, col.13 lines 49-62]. Hence, it would
have been obvious for one of ordinary skill in the art to
combine the teaching of Brown with Horbal to download and store
step sequence (motion data) in the controller because it would
have enable thy system to efficiently upgrade/change the
operation of the target device. It is apparent the microserver
of Horbal's system as modified would operate to generate output
signals to control the appliance connected to it according to
the stored motion data.

As set forth in claims 5 and 8, Horbal does not discloses a
system wherein there is an RF section cornmunicating with the
microcontroller and memory for receiving programs and data. As
set forth in claims 5 and 8, Sandelman discloses a system
wherein sensors are placed on devices and can be monitored via
RF devices through the Internet; see Col. 6, lines 47-57, col.
7, lines 93 1, and col. 7, lines 45-59, see fig. 610. It would
have been obvious to a person of ordinary skill in the art at
the time this invention was made to have provided the
microserver system of Horbal, with an RF section, as taught by
Sandelman. The rationale is as follows: It would have been
desirable to have provided means for remotely sending infon-
nation to a control center. As Sandelman teaches the
desirability of using an RF section, one of ordinary skill would

have been motivated by Sandelman's teaching to have provided the

system of Horbal, with an RF section, thereby having provided

alternative means for communicating the data for remote

observation and control.

As set forth in claim 6, Horbal discloses a method wherein

in step (c) the microcontroller produces control outputs partly

in response to input from sensors on the controlled system or

appliance; see col. 8, lines 32-39, and fig. 3.

As set forth in claim 7, Horbal discloses a method further

comprising additional sensors in the control unit, and wherein,

in step (c) the microcontroller produces control outputs partly

in response to input from the additional sensors; see col. 8,

lines 32-39, and fig. 3.

As set forth in claim 9, Horbal discloses a base station

for managing one or more control units in a home or business

control system, the control units connected to individual ones

of appliances in the home or business, comprising: a

microcontroller for managing functions of the base station;

memory coupled to the microcontroller for storing one or more

step sequences to be performed by one or more of the control

units; a communication port for communicating with the Internet;

characterized in that the one or more step sequences via the

communication port, and transmits individual ones of the step

sequences to appropriate control units; see col. 8, lines 2639,

and element 406, see col. 5, lines 50-59 see col. 3, lines 31-

45. Horbal discloses a system wherein the microservers can be

placed on appliances, and other devices and the sensors then

send information for control over the Internet to the browsers

for control and interaction, also Horbal can download

information from various device servers for usage by the

clients; see col. 17, lines 25-41, and access by the

microservers to the respective information related to the device

and found on the device's server; see col. 15, line 2-col. 17,

line 14, as well as having a central administrator to control

multiple devices; see col. 17, lines 10-25, also see figs. I and

2.

Horbal does not specifically disclose the microcontroller

stored step sequence received from the remote server and

generates outputs to operate functions of the appliance

according to the stored step sequence. In similar field of

invention, Brown teaches motion data (step sequence) is recieve

from a host machine over a network and stored in a controller

such that the controller can generate signals for directly

operate a target device [see col.1 lines 20-42, col.4 lines 23-

29, col.11 lines 39-52, col.13 lines 49-62]. Hence, it would

have been obvious for one of ordinary skill in the art to

combine the teaching of Brown with Horbal to download and store

step sequence (motion data) in the controller because it would

have enable thy system to efficiently upgrade/change the

operation of the target device. It is apparent the microserver

of Horbal's system as modified would operate to generate output

signals to control the appliance connected to it according to

the stored motion data.

As set forth in claims 9, 11, and 13, Horbal does not

discloses a system wherein there is an RF section communicating

with the microcontroller and memory for receiving programs and

data. As set forth in claims 9, 11, and 13, Sandelman discloses

a system wherein sensors are placed on devices and can be

monitored via RF devices through the Internet; see Col. 6, lines

47-57, col. 7, lines 9-31, and col. 7, lines 45-59, see fig.

610. It would have been obvious to a person of ordinary skill in

the art at the time this invention was made to have provided the

microserver system of Horbal, with an RF section, as taught by

Sandelman. The rationale is as follows: It would have been

desirable to have provided means for remotely sending

information to a control center. As Sandelman teaches the

desirability of using an RF section, one of ordinary skill would

have been motivated by Sandelman's teaching to have provided the

system of Horbal, with an RF section, thereby having provided

alternative means for communicating the data for remote

observation and control.

As set forth in claim 10, Horbal discloses a base station

wherein the communication port is one of a standard serial or

parallel communication port compatible with a personal computer

(PC) and wherein the PC handles communication with the Internet

for receiving step sequences, and transfers the step sequences

to the base station; see figs. 2-5.

As set forth in claim 12, Horbal does not explicitly

disclose having a base station enabled to identify and

communicate with up to 256 control units selectively. It would

have been obvious to a person of ordinary skill in the art at

the time this invention was made to have provided the of system

of Horbal, with the ability to communicate with up to 256

control units. The rationale is as follows: It would have been

desirable have the ability to communicate with multiple units.

One of ordinary skill would have been motivated by the need to

control multiple objects to have provided multiple control units

to the system of Horbal thereby having provided the ability to

monitor multiple systems.

As set forth in claim 14, Horbal discloses a method for
managing functions for a plurality of appliances in a home or
business, the appliances connected to control units: (a)
identifying each control unit uniquely electronically; (c)
downloading control individual step sequence from an Internet
site by the base station identified for individual ones of the
control units, and transmitting the downloaded step sequences
selectively to the individual ones of the control units; see
col. 8, lines 26-39, and element 406, see col. 5, lines 50-59
see col. 3, lines 31-45. Horbal discloses a system wherein the
microservers can be placed on appliances, and other devices and
the sensors then send information for control over the Internet
to the browsers for control and interaction, also Horbal can
download information from various device servers for usage by
the clients; see col. 17, lines 25-41, and access by the
microservers to the respective information related to the device
and found on the device's server; see col. 15, line 2-col. 17,
line 14, as well as having a central administrator to control
multiple devices; see col. 17, lines 10-25, also see figs. I and
2.

Horbal does not specifically disclose the microcontroller
stored step sequence received from the remote server and
generates outputs to operate functions of the appliance

according to the stored step sequence. In similar field of invention, Brown teaches motion data (step sequence) is recieve from a host machine over a network and stored in a controller such that the controller can generate signals for directly operate a target device [see col.1 lines 20-42, col.4 lines 23-29, col.11 lines 39-52, col.13 lines 49-62]. Hence, it would have been obvious for one of ordinary skill in the art to combine the teaching of Brown with Horbal to download and store step sequence (motion data) in the controller because it would have enable thy system to efficiently upgrade/change the operation of the target device. It is apparent the microserver of Horbal's system as modified would operate to generate output signals to control the appliance connected to it according to the stored motion data.

As set forth in claims 14 and 15, Horbal does not discloses a system wherein there is an RF section communicating with the microcontroller and memory for receiving programs and data. As set forth in claims 14 and 15, Sandelman discloses a system wherein sensors are placed on devices and can be monitored via RF devices through the Internet; see Col. 6, lines 47-57, col. 7, lines 9-3 1, and col. 7, lines 45-59, see fig. 610. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the

microserver system of Horbal, with an RF section, as taught by

Sandelman. The rationale is as follows: It would have been

desirable to have provided means for remotely sending

information to a control center. As Sandelman teaches the

desirability of using an RF section, one of ordinary skill would

have been motivated by Sandelman's teaching to have provided the

system of Horbal, with an RF section, thereby having provided

alternative means for communicating the data for remote

observation and control.

As set forth in claim 16, Horbal discloses; a method

wherein the communication port is one of a standard serial or

parallel communication port compatible with a personal computer

(PC) and wherein a connected PC handles communication with the

Internet for receiving the step sequences, and transfers the

step sequences to the base station; see figs. 2-5.

As set forth in claim 17, Horbal discloses a control system

for systems and appliances in a home or business area,

comprising: a plurality ofcontrol units, individual ones of the

units wired to sensors and actuators of individual ones of the

appliances, the control units having each a microcontroller, a

system memory, an 1/0 section; and an Internet site executing

software enabling a subscriber associated with the home or

business area to interact with the base station; characterized

in that the Internet site software provides an interface for

their subscriber to review status of svstems and appliances

having connected control units in the associated home or

business, and to author step sequences addressed for individual

ones of the control units in the home or business; see col. 8,

lines 26-319, and element 406, see col. 5, lines 50-59 see col.

3, lines 31-45. Horbal discloses a system wherein the

microservers can be placed on appliances, and other devices and

the sensors then send information for control over the Internet

to the browsers for control and interaction, also Horbal can

download information from various device servers for usage by

the clients; see col. 17, lines 25-41, and access by the

microservers to the respective information related to the device

and found on the device's server; see col. 15, line 2-col. 17,

line 14, as well as having a central administrator to control

multiple devices; see col. 17, lines 10-25, also see figs. I and

2.

Horbal does not specifically disclose a stored downloaded

step sequences to the microcontroller and the microcontroller

generates outputs to operate functions of the appliance

according to the stored step sequence. In similar field of

invention, Brown teaches motion data (step sequence) is recieve

from a host machine over a network and stored in a controller

such that the controller can generate signals for directly

operate a target device [see col.1 lines 20-42, col.4 lines 23-

29, col.11 lines 39-52, col.13 lines 49-62]. Hence, it would

have been obvious for one of ordinary skill in the art to

combine the teaching of Brown with Horbal to download and store

step sequence (motion data) in the controller because it would

have enable thy system to efficiently upgrade/change the

operation of the target device. It is apparent the microserver

of Horbal's system as modified would operate to generate output

signals to control the appliance connected to it according to

the stored motion data.

As set forth in claims 17, 22, and 23, Horbal does not

discloses a system wherein there is an RF section communicating

with the microcontroller and memory for receiving programs and

data. As set forth in claim 17, 22, and 23, Sandel man discloses

a system wherein sensors are placed on devices and can be

monitored via RF devices through the Internet; see Col. 6, lines

4757, col. 7, lines 9-3 1, and col. 7, lines 45-59, see fig.

610. It would have been obvious to a person of ordinary skill in

the art at the time this invention was made to have provided the

microserver system of Horbal, with an RF section, as taught by

Sandelman. The rationale is as follows: It would have been

desirable to have provided means for remotely sending information to a control center. As Sandelman teaches the desirability of using an RF section, one of ordinary skill would have been motivated by Sandelman's teaching to have provided the system of Horbal, with an RF section, thereby having provided alternative means for communicating the data for remote observation and control.

As set forth in claim 18, Horbal discloses a control system wherein the base station comprises an Internet browser and an Internet-calpable port for Internet access; see fig. 2.

As set forth in claim 19, Horbal discloses a control system wherein the base station has a standard serial or parallel port for connection to a personal computer, and the personal computer accomplishes necessary Internet browsing functions; see fig. 6-12.

As set forth in claim 20, Horbal discloses a control system wherein each control unit is configured to the base station by a specific address; see fig. 2, each appliance.

As set forth in claim 21, Horbal discloses a control system wherein the subscriber has a specific web page on the Internet site, wherein all configured, installed and active control units in the home or business area with which the subscriber is associated are indicated; see figs. 6-12.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

>   **Box AF**
>   Commissioner of Patents and Trademarks
>   Washington, DC 20231

or faxed to:

>   (703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA, Fourth Floor (Receptionist).

Dung Dinh
Primary Examiner
December 16, 2003